

Message Text

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FM SECSTATE WASHDC

TO AMEMBASSY MEXICO NIACT IMMEDIATE

C O N F I D E N T I A L STATE 182185

E.O. 11652: ADS, DECLASS 8/5/77

TAGS: PGOV, MX, US

SUBJECT: WHITE HOUSE MESSAGE TO CONGRESS ON UNDOCUMENTED
ALIENS

SEMI-FINAL VERSION OF WHITE HOUSE MESSAGE ON UNDOCUMENTED
ALIENS WAS RECEIVED TODAY. THE MESSAGE IS TO BE RELEASED
ON THURSDAY, AUGUST 4 AT 11:00 AM. WHILE THIS VERSION IS
STILL SUBJECT TO CHANGE, IT IS THE LAST VERSION WE WILL
HAVE A CHANCE TO TRANSMIT VERBATIM. THIS MESSAGE SHOULD
BE GIVEN TO SECRETARY ROEL IMMEDIATELY OR TO OTHER HIGH
LEVEL FOREIGN SECRETARIAT OFFICIAL IF DELIVERY WOULD
OTHERWISE BE DELAYED.

BEGIN TEXT: TO THE CONGRESS OF THE UNITED STATES:

1. I AM PROPOSING TO CONGRESS TODAY A SET OF ACTIONS TO
HELP MARKEDLY REDUCE THE INCREASING FLOW OF UNDOCUMENTED
ALIENS IN THIS COUNTRY AND TO REGULATE THE PRESENCE OF
THE MILLIONS OF UNDOCUMENTED ALIENS ALREADY HERE.

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2. THESE PROPOSED ACTIONS ARE BASED ON THE RESULTS OF A
THOROUGH CABINET-LEVEL STUDY AND ON THE GROUNDWORK WHICH
HAS BEEN LAID, FOR NEARLY A DECADE, BY CONGRESSMAN RODINO

AND SENATORS EASTLAND AND KENNEDY. THESE ACTIONS WILL:

A. MAKE ILLEGAL THE HIRING OF UNDOCUMENTED ALIENS, WITH
ENFORCEMENT BY THE JUSTICE DEPARTMENT AGAINST THOSE EMPLOYERS

WHO ENGAGE IN A "PATTERN OR PRACTICE" OF SUCH HIRING. PENALTIES WOULD BE CIVIL -- INJUNCTIONS AND FINES OF \$1,000 PER UNDOCUMENTED ALIEN HIRED; BUT CRIMINAL PENALTIES COULD BE IMPOSED AGAINST EMPLOYERS VIOLATING INJUNCTIONS OR EMPLOYERS, AND OTHERS, RECEIVING COMPENSATION FOR KNOWINGLY ASSISTING AN UNDOCUMENTED ALIEN OBTAIN OR RETAIN A JOB.

B. INCREASE SIGNIFICANTLY THE ENFORCEMENT OF THE FAIR LABOR STANDARDS ACT AND THE FEDERAL FAIR LABOR CONTRACTOR REGISTRATION ACT, TARGETED TO AREAS WHERE HEAVY UNDOCUMENTED ALIEN HIRINGS OCCUR.

C. ADJUST THE LEGAL STATUS OF UNDOCUMENTED ALIENS WHO HAVE RESIDED IN THE U.S. CONTINUOUSLY SINCE JANUARY 1, 1970 AND WHO REGISTER WITH IMMIGRATION AND NATURALIZATION SERVICE (INS) TO PERMANENT RESIDENT ALIEN; CREATE THE NEW IMMIGRATION CATEGORY OF TEMPORARY RESIDENT ALIEN FOR UNDOCUMENTED ALIENS WHO WERE RESIDING IN THE U.S. CONTINUOUSLY ON OR BEFORE JANUARY 1, 1977; MAKE NO STATUS CHANGE AND CONTINUE TO ATTEMPT DEPORTATION FOR UNDOCUMENTED ALIENS ENTERING THE U.S. AFTER JANUARY 1, 1977.

D. INCREASE SUBSTANTIALLY RESOURCES AVAILABLE TO CONTROL THE BORDER, AND OTHER ENTRY POINTS, IN ORDER TO PREVENT ILLEGAL IMMIGRATION.
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E. PROMOTE CONTINUED COOPERATION WITH THE GOVERNMENTS OF MAJOR SOURCE COUNTRIES IN EFFORTS TO IMPROVE THEIR ECONOMIES AND THEIR CONTROLS OVER ALIEN SMUGGLING RINGS.

3. EACH OF THESE ACTIONS WILL PLAY A DISTINCT, BUT CLOSELY RELATED, ROLE IN HELPING TO SOLVE ONE OF OUR MOST COMPLEX DOMESTIC PROBLEMS: IN THE LAST SEVERAL YEARS, THE ANNUAL FLOW OF UNDOCUMENTED ALIENS MAY HAVE REACHED TWO MILLION. ASIDE FROM THEIR BREACH OF U.S. IMMIGRATION LAWS, THESE ALIENS FREQUENTLY DISPLACE AMERICAN CITIZENS FROM JOBS AND, ADDITIONALLY, PLACE AN INCREASED FINANCIAL BURDEN ON MANY STATES AND LOCAL GOVERNMENTS.

4. THE SET OF ACTIONS I AM PROPOSING CANNOT SOLVE THIS ENORMOUS PROBLEM OVERNIGHT, BUT THEY WILL SIGNAL THE BEGINNING OF AN EFFECTIVE FEDERAL RESPONSE. FROM PRIOR ADMINISTRATIONS, THERE HAS BEEN NO RESPONSE AT ALL. MY

ADMINISTRATION, THOUGH, IS STRONGLY COMMITTED TO TAKING STRONG STEPS TOWARD RESOLVING THIS, AND I AM THEREFORE PROPOSING THE FOLLOWING ACTIONS:

EMPLOYER SANCTIONS

1. THE PRINCIPAL ATTRACTION OF THE UNITED STATES FOR UNDOCUMENTED ALIENS IS ECONOMIC -- THE OPPORTUNITY TO OBTAIN A JOB PAYING CONSIDERABLY MORE THAN ANY AVAILABLE IN THEIR OWN COUNTRY. IF THAT OPPORTUNITY IS SEVERELY RESTRICTED, I AM CONVINCED THAT FAR FEWER ALIENS WILL ATTEMPT ILLEGAL ENTRY.

2. I AM THEREFORE PROPOSING THAT CONGRESS MAKE ILLEGAL THE HIRING BY ANY EMPLOYER OF ANY UNDOCUMENTED ALIEN. THIS EMPLOYMENT BAR WOULD BE IMPLEMENTED IN THE FOLLOWING WAY:
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A. ENFORCEMENT WOULD BE SOUGHT AGAINST THOSE EMPLOYERS WHO ENGAGE IN A "PATTERN OR PRACTICE" OF HIRING UNDOCUMENTED ALIENS, WITH THE JUSTICE DEPARTMENT SETTING PRIORITIES FOR ENFORCEMENT.

B. PENALTIES FOR VIOLATION OF THE EMPLOYMENT BAR WOULD BE BOTH INJUNCTIVE RELIEF AND STIFF CIVIL FINES (A MAXIMUM OF \$1,000 FOR EACH UNDOCUMENTED ALIEN HIRED BY AN EMPLOYER). A VIOLATION OF A COURT INJUNCTION WOULD SUBJECT AN EMPLOYER TO A POTENTIAL CRIMINAL CONTEMPT CITATION AND IMPRISONMENT.

C. AN EMPLOYER WOULD BE ENTITLED TO DEFEND ANY CHARGE OF HIRING AN UNDOCUMENTED ALIEN BY PROVING THAT ANY OF A PROSPECTIVE EMPLOYEE'S IDENTIFIERS OF LEGAL RESIDENCE, AS DESIGNATED BY THE ATTORNEY GENERAL IN REGULATIONS, WERE SEEN PRIOR TO EMPLOYMENT. ONLY IF THE IDENTIFIER SEEN BY THE EMPLOYER INDICATED ON ITS FACE THAT THE PROSPECTIVE EMPLOYEE WAS A LEGAL RESIDENT COULD THAT EMPLOYEE BE LEGALLY HIRED. THE BURDEN PLACED ON AN EMPLOYER WOULD BE MINIMAL, FOR THERE WOULD BE NO REQUIREMENT TO VERIFY THE AUTHENTICITY, OR TO MAINTAIN RECORDS, OF IDENTIFIERS SEEN.

D. THE SOCIAL SECURITY CARD WOULD BE DESIGNATED AS ONE OF THE IDENTIFIERS; AND WE WILL ACCELERATE THE STEPS ALREADY BEING TAKEN TO MAKE CERTAIN THAT CARDS ARE ISSUED, AS THE LAW NOW MANDATES, ONLY TO LEGAL RESIDENTS. THOSE STEPS INCLUDE REQUIRING PERSONAL INTERVIEWS OF CARD

APPLICANTS AND MAKING THE CARDS MORE DIFFICULT TO FORGE. BUT NO STEPS WOULD BE TAKEN TO MAKE THE SOCIAL SECURITY
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CARD, OR ANY OTHER CARD, A NATIONAL IDENTIFIER.

3. TO FURTHER RESTRICT JOB OPPORTUNITIES, CRIMINAL SANCTIONS WOULD BE IMPOSED ON THOSE PERSONS WHO RECEIVE COMPENSATION FOR KNOWINGLY ASSISTING AN UNDOCUMENTED ALIEN OBTAIN OR RETAIN EMPLOYMENT, OR WHO KNOWINGLY CONTRACT WITH SUCH PERSONS FOR THE EMPLOYMENT OF UNDOCUMENTED ALIENS. THESE SANCTIONS ARE DIRECTED AT THE SUBSTANTIAL NUMBER OF INDIVIDUALS WHO BROKER JOBS FOR UNDOCUMENTED ALIENS OR ACT AS AGENTS FOR ALIEN SMUGGLERS. IT IS NOT DIRECTED AT THOSE WHO INADVERTENTLY REFER AN UNDOCUMENTED ALIEN TO A JOB, SUCH AS AN EMPLOYMENT AGENCY OR A UNION HIRING HALL. TO MAKE CERTAIN THAT THESE SANCTIONS ARE UNIFORMLY APPLIED, THEY WOULD PRE-EMPT ANY EXISTING STATE SANCTIONS.

4. IN ADDITION TO THE CREATION OF THESE NEW SANCTIONS, EXISTING SANCTIONS, NOW WIDELY UNENFORCED, WILL BE STRICTLY APPLIED. THE FAIR LABOR STANDARDS ACT, WHICH MANDATES PAYMENT OF THE MINIMUM WAGE; PROVIDES OTHER EMPLOYEE PROTECTIONS; AND WOULD NOT ONLY BE STRICTLY ENFORCED, BUT ITS EXISTING CIVIL AND CRIMINAL PENALTIES WOULD BE SOUGHT MUCH MORE FREQUENTLY BY THE GOVERNMENT. TO DATE, THE INABILITY OF THE GOVERNMENT, DUE IN PART TO A LACK OF RESOURCES, TO ENFORCE FULLY THIS ACT HAS RESULTED IN THE WIDESPREAD HIRING OF UNDOCUMENTED ALIENS AT SUB-MINIMUM WAGES, THEREBY OFTEN DISPLACING AMERICAN WORKERS. TWO HUNDRED SIXTY NEW INSPECTORS WILL BE HIRED AND TARGETED TO AREAS OF HEAVY UNDOCUMENTED ALIEN EMPLOYMENT. SIMILARLY, THE FEDERAL FARM LABOR CONTRACTOR REGISTRATION ACT, WHICH PROHIBITS THE RECRUITING AND HIRING OF UNDOCUMENTED ALIENS FOR FARM WORK, WOULD BE TIGHTLY ENFORCED. THE DEPARTMENTS OF JUSTICE AND LABOR WILL WORK CLOSELY TOGETHER IN THESE EFFORTS.

5. WHILE I BELIEVE THAT BOTH THE NEW AND EXISTING EM-
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PLOYER SANCTIONS, AND THEIR STRICT ENFORCEMENT, ARE REQUIRED TO CONTROL THE EMPLOYMENT OF UNDOCUMENTED ALIENS, THE POSSIBILITY THAT THESE SANCTIONS MIGHT LEAD EMPLOYERS TO DISCRIMINATE AGAINST MEXICAN-AMERICAN CITIZENS AND LEGAL RESIDENTS, AS WELL AS OTHER ETHNIC AMERICANS, WOULD BE INTOLERABLE. THE PROPOSED EMPLOYER SANCTIONS HAVE, OF COURSE, BEEN DESIGNED, WITH THEIR GENERAL RELIANCE ON

CIVIL PENALTIES AND "PATTERN OR PRACTICE" ENFORCEMENT, TO MINIMIZE ANY CAUSE FOR DISCRIMINATION. HOWEVER, TO PREVENT ANY DISCRIMINATORY HIRING, THE FEDERAL CIVIL RIGHTS

AGENCIES WILL BE CHARGED WITH MAKING MUCH GREATER EFFORTS TO ENSURE THAT EXISTING ANTI-DISCRIMINATION LAWS ARE FULLY ENFORCED.

BORDER ENFORCEMENT

1. THE PROPOSED EMPLOYER SANCTIONS WILL NOT, BY THEMSELVES, BE ENOUGH TO STOP THE ENTRY OF UNDOCUMENTED ALIENS. MEASURES MUST ALSO BE TAKEN TO INCREASE SIGNIFICANTLY EXISTING BORDER ENFORCEMENT EFFORTS. WHILE OUR BORDERS CANNOT REALISTICALLY BE MADE IMPENETRABLE TO ILLEGAL ENTRY, GREATER ENFORCEMENT EFFORTS CLEARLY ARE POSSIBLE, CONSISTENT WITH PRESERVING THE LONGEST "OPEN" BORDERS IN THE WORLD, AND OUR HUMANITARIAN TRADITIONS.

2. I AM PROPOSING TO TAKE THE FOLLOWING INCREASED ENFORCEMENT MEASURES, MOST OF WHICH WILL REQUIRE CONGRESSIONAL APPROVAL FOR THE NECESSARY ADDITIONAL RESOURCES:

A. ENFORCEMENT RESOURCES AT THE BORDER WILL BE REORGANIZED TO INCREASE EFFECTIVENESS AND WILL BE INCREASED SUBSTANTIALLY. THE EXACT NATURE OF THE REORGANIZATION, AS CONFIDENTIAL

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WELL AS THE AMOUNT OF ADDITIONAL ENFORCEMENT PERSONNEL, WILL BE DETERMINED AFTER THE COMPLETION IN SEPTEMBER OF OUR ONGOING BORDER ENFORCEMENT STUDIES. IT IS VERY LIKELY, THOUGH, THAT A MINIMUM OF 2,000 ADDITIONAL ENFORCEMENT PERSONNEL WILL BE RECOMMENDED FOR, AND QUICKLY PLACED ON, THE MEXICAN BORDER.

B. INS WILL SHIFT A SIGNIFICANT NUMBER OF ENFORCEMENT PERSONNEL TO BORDER AREAS HAVING THE HIGHEST REPORTED RATES OF UNDOCUMENTED ALIEN ENTRY.

C. AN ANTI-SMUGGLING TASK FORCE WILL BE ESTABLISHED IN ORDER TO SEEK WAYS TO REDUCE THE NUMBER AND EFFECTIVENESS OF THE GROUPS WHICH, BY OBTAINING FORGED DOCUMENTS AND PROVIDING TRANSPORTATION, SYSTEMATICALLY SMUGGLE NEARLY ONE-HALF OF THE UNDOCUMENTED ALIENS ENTERING THE COUNTRY. THE U.S. ATTORNEYS WILL BE INSTRUCTED TO GIVE HIGH PRIORITY TO PROSECUTING INDIVIDUALS INVOLVED IN ALIEN SMUGGLING.

D. THE STATE DEPARTMENT WILL INCREASE ITS VISA ISSUANCE RESOURCES ABROAD TO ENSURE THAT FOREIGN CITIZENS ATTEMPT-

ING TO ENTER THIS COUNTRY WILL BE DOING SO WITHIN THE REQUIREMENTS OF THE IMMIGRATION LAWS.

E. PASSAGE WILL BE SOUGHT OF PENDING LEGISLATION TO IMPOSE CRIMINAL SANCTIONS ON THOSE WHO KNOWINGLY USE FALSE INFORMATION TO OBTAIN IDENTIFIERS ISSUED BY OUR GOVERNMENT, OR WHO KNOWINGLY USE FRAUDULENT GOVERNMENT DOCUMENTS TO OBTAIN LEGITIMATE GOVERNMENT DOCUMENTS.

F. THE STATE DEPARTMENT WILL CONSULT WITH COUNTRIES WHICH ARE THE SOURCES OF SIGNIFICANT NUMBERS OF UNDOCUMENTED ALIENS, ABOUT COOPERATIVE BORDER ENFORCEMENT AND ANTI-SMUGGLING EFFORTS.

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COOPERATION WITH SOURCE COUNTRIES

1. THE PROPOSED EMPLOYER SANCTIONS AND BORDER ENFORCEMENT WILL CLEARLY DISCOURAGE A SIGNIFICANT PERCENTAGE OF THOSE WHO WOULD OTHERWISE ATTEMPT TO ENTER OR REMAIN IN THE U.S. ILLEGALLY. HOWEVER, AS LONG AS JOBS ARE AVAILABLE HERE BUT NOT EASILY AVAILABLE IN COUNTRIES WHICH HAVE BEEN THE SOURCE OF MOST UNDOCUMENTED ALIENS, MANY CITIZENS OF THOSE COUNTRIES WILL IGNORE WHATEVER BARRIERS TO ENTRY AND EMPLOYMENT THAT WE ERECT. AN EFFECTIVE POLICY TO CONTROL ILLEGAL IMMIGRATION MUST INCLUDE THE DEVELOPMENT OF A STRONG ECONOMY IN EACH SOURCE COUNTRY.

2. UNFORTUNATELY, THIS OBJECTIVE CANNOT PRACTICABLY BE ACHIEVED WITHIN THE NEAR FUTURE. THE ECONOMIES OF MOST OF THE SOURCE COUNTRIES ARE STILL NOT SUFFICIENTLY DEVELOPED TO PRODUCE, EVEN WITH SIGNIFICANT U.S. AID, ENOUGH JOBS OVER THE SHORT-TERM TO MATCH THEIR RAPIDLY GROWING WORKFORCE.

3. OVER THE LONG-TERM, HOWEVER, I BELIEVE THAT MARKED IMPROVEMENTS IN SOURCE COUNTRIES' ECONOMIES ARE ACHIEVABLE BY THEIR OWN EFFORTS WITH SUPPORT FROM THE UNITED STATES. I WELCOME THE EFFORTS AT ECONOMIC DEVELOPMENT ALREADY BEING MADE BY THE NEW LEADERS OF MEXICO. TO FURTHER EFFORTS SUCH AS THOSE, THE UNITED STATES IS COMMITTED TO HELPING SOURCE COUNTRIES OBTAIN ASSISTANCE APPROPRIATE TO THEIR OWN ECONOMIC NEEDS. I THEREFORE PROPOSE TO EXPLORE WITH SOURCE COUNTRIES MEANS OF PROVIDING SUCH ASSISTANCE. IN SOME CASES THIS WILL MEAN ECONOMIC ASSISTANCE, BILATERAL OR MULTILATERAL. IN OTHERS, IT WILL INVOLVE TECHNICAL ASSISTANCE, ENCOURAGEMENT OF PRIVATE FINANCING AND ENHANCED TRADE, OR POPULATION

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PROGRAMS.

ADJUSTMENT OF STATUS

1. THE FACT THAT THERE ARE AT LEAST MILLIONS OF UNDOCUMENTED ALIENS ALREADY RESIDING IN THIS COUNTRY PRESENTS THE MOST DIFFICULT QUESTION SURROUNDING THE ALIENS PHENOMENON: THESE ALIENS ENTERED THE U.S. ILLEGALLY AND HAVE WILLFULLY REMAINED HERE IN VIOLATION OF THE IMMIGRATION LAWS. ON THE OTHER HAND, MANY OF THEM HAVE BEEN, ASIDE FROM THE IMMIGRATION LAW VIOLATIONS, LAW-ABIDING RESIDENTS WHO ARE PRODUCTIVE MEMBERS OF THEIR COMMUNITIES.

2. I HAVE CONCLUDED THAT AN ADJUSTMENT OF STATUS IS NECESSARY TO AVOID HAVING A PERMANENT "UNDERCLASS" OF MILLIONS OF PERSONS WHO CANNOT PRACTICABLY BE DEPORTED, AND WOULD CONTINUE LIVING HERE IN PERPETUAL FEAR OF IMMIGRATION AUTHORITIES, THE LOCAL POLICE, EMPLOYERS AND NEIGHBORS. THEIR ENTIRE EXISTENCE WOULD BE PREDICATED ON STAYING OUTSIDE THE REACH OF GOVERNMENT AUTHORITIES AND THE LAW'S PROTECTIONS.

3. I THEREFORE RECOMMEND THE FOLLOWING ADJUSTMENT OF STATUS: FIRST, I PROPOSE THAT PERMANENT RESIDENT ALIEN STATUS BE GRANTED TO ALL UNDOCUMENTED ALIENS WHO HAVE BEEN PRESENT CONTINUOUSLY IN THE U.S. SINCE JANUARY 1, 1970. THESE ALIENS WOULD HAVE TO APPLY FOR THIS STATUS AND PROVIDE NORMAL DOCUMENTARY PROOF OF CONTINUOUS RESIDENCY. IF RESIDENCY IS MAINTAINED, U.S. CITIZENSHIP COULD BE SOUGHT FIVE YEARS AFTER THE GRANTING OF PERMANENT STATUS, AS PROVIDED BY EXISTING IMMIGRATION LAWS.

4. THE PERMANENT RESIDENT ALIEN STATUS WOULD BE GRANTED THROUGH AN UPDATE OF THE REGISTRY PROVISIONS OF THE IMMIGRATION AND NATIONALITY ACT. THE REGISTRY WAS LAST UPDATED IN 1965, WHEN PERMANENT RESIDENT ALIEN STATUS WAS

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GRANTED TO THOSE WHO HAD RESIDED HERE PRIOR TO 1948. AS WITH THAT UPDATE, THE ONE I PROPOSE RECOGNIZES THAT PERMANENT STATUS SHOULD BE GRANTED TO THOSE WHO HAVE RESIDED HERE FOR A LENGTHY, CONTINUOUS PERIOD.

5. SECOND, ALL UNDOCUMENTED ALIENS, INCLUDING THOSE (OTHER THAN EXCHANGE AND STUDENT VISITORS) WITH EXPIRED

VISAS, WHO WERE RESIDING IN THE UNITED STATES ON OR BEFORE JANUARY 1, 1977 WILL BE ELIGIBLE FOR A TEMPORARY RESIDENT ALIEN STATUS FOR 5 YEARS.

6. THOSE ELIGIBLE WOULD BE GRANTED THE TEMPORARY STATUS ONLY AFTER REGISTERING WITH INS; REGISTRATION WOULD BE PERMITTED SOLELY DURING A ONE-YEAR PERIOD. ALIENS GRANTED THE STATUS WOULD BE ENTITLED TO RESIDE LEGALLY IN THE UNITED STATES FOR A FIVE-YEAR PERIOD.

7. THE PURPOSE OF GRANTING A TEMPORARY STATUS IS TO PRESERVE A DECISION ON THE FINAL STATUS OF THESE UNDOCUMENTED ALIENS, UNTIL MUCH MORE PRECISE INFORMATION ABOUT THEIR NUMBER, LOCATION, FAMILY SIZE AND ECONOMIC SITUATION CAN BE COLLECTED AND REVIEWED. THAT INFORMATION WOULD BE OBTAINED THROUGH THE REGISTRATION PROCESS. A DECISION ON THEIR FINAL STATUS WOULD BE MADE SOMETIME AFTER THE COMPLETION OF THE REGISTRATION PROCESS AND BEFORE THE EXPIRATION OF THE FIVE-YEAR PERIOD.

8. TEMPORARY RESIDENT ALIENS WOULD NOT HAVE THE RIGHT TO VOTE, TO RUN FOR PUBLIC OFFICE OR TO SERVE ON JURIES; NOR WOULD THEY BE ENTITLED TO BRING MEMBERS OF THEIR FAMILIES INTO THE U.S. BUT THEY COULD LEAVE AND RE-ENTER THIS COUNTRY, AND THEY COULD SEEK EMPLOYMENT UNDER THE SAME RULES AS PERMANENT RESIDENT ALIENS.
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9. UNLIKE PERMANENT RESIDENT ALIENS, THE TEMPORARY RESIDENT ALIENS WOULD BE INELIGIBLE TO RECEIVE SUCH FEDERAL SOCIAL SERVICES AS MEDICAID, FOOD STAMPS, AID TO FAMILIES WITH DEPENDENT CHILDREN, AND SUPPLEMENTAL SECURITY INCOME. HOWEVER, THE ALLOCATION FORMULAS FOR REVENUE SHARING, WHICH ARE BASED ON POPULATION, WOULD BE ADJUSTED TO REFLECT THE PRESENCE OF TEMPORARY RESIDENT ALIENS. THE ADJUSTMENT WOULD BE NEEDED TO COMPENSATE STATE AND LOCAL COMMUNITIES FOR THE FACT THAT SOME OF THESE RESIDENTS -- UNDOCUMENTED ALIENS -- ARE CURRENTLY NOT INCLUDED IN THE CENSUS BUREAU'S POPULATION COUNTS. THAT UNDERCOUNT DEPRIVES CERTAIN STATES AND COMMUNITIES OF REVENUE SHARING FUNDS THEY WOULD RECEIVE IF CENSUS FIGURES WERE COMPLETELY ACCURATE. THOSE RECEIVING ADJUSTMENTS OF STATUS THROUGH THE ACTIONS I AM PROPOSING WOULD BE INCLUDED IN THE 1980 CENSUS, SO THAT THE ALLOCATION CHARGES WOULD HAVE TO BE MADE ONLY THROUGH 1980.

10. THIRD, FOR THOSE UNDOCUMENTED ALIENS WHO ENTERED THE UNITED STATES AFTER JANUARY 1, 1977, THERE WOULD BE NO ADJUSTMENT OF STATUS. THEY WOULD CONTINUE TO BE IN VIOLA-

TION OF THE IMMIGRATION LAWS AND SUBJECT TO DEPORTATION.

11. THOSE WHO ARE ELIGIBLE FOR THE ADJUSTMENT OF STATUS
I AM PROPOSING WOULD BE SIMILARLY SUBJECT TO DEPORTATION IF
THEY DID NOT APPLY FOR ADJUSTMENT WITHIN ONE YEAR.

TEMPORARY FOREIGN WORKERS

AS PART OF THESE EFFORTS TO CONTROL THE PROBLEM OF UN-
DOCUMENTED ALIENS, I AM ASKING THE SECRETARY OF LABOR
TO CONDUCT, IN CONSULTATION WITH THE CONGRESS AND OTHER
INTERESTED PARTIES, A COMPREHENSIVE REVIEW OF THE CURRENT
TEMPORARY FOREIGN WORKER (H-2) CERTIFICATION PROGRAM. I
BELIEVE IT IS POSSIBLE TO STRUCTURE THIS PROGRAM SO THAT
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IT RESPONDS TO THE LEGITIMATE NEEDS OF BOTH EMPLOYEES,
BY PROTECTING DOMESTIC EMPLOYMENT OPPORTUNITIES, AND OF
EMPLOYERS, BY PROVIDING A NEEDED WORK FORCE. HOWEVER, I
AM NOT CONSIDERING THE REINTRODUCTION OF A BRACERO-TYPE
PROGRAM FOR THE IMPORTATION OF TEMPORARY WORKERS.

IMMIGRATION POLICY

1. OUR PRESENT IMMIGRATION STATUTES ARE IN NEED OF A
COMPREHENSIVE REVIEW. I AM THEREFORE DIRECTING THE
SECRETARY OF STATE, THE ATTORNEY GENERAL, AND THE
SECRETARY OF LABOR TO BEGIN A COMPREHENSIVE INTERAGENCY
STUDY OF OUR EXISTING IMMIGRATION LAWS AND POLICIES.

2. IN THE INTERIM, I AM SUPPORTING PENDING LEGISLATION
TO INCREASE THE ANNUAL LIMITATION ON LEGAL MEXICAN AND
CANADIAN IMMIGRATION TO A TOTAL OF 50,000, ALLOCATED
BETWEEN THEM ACCORDING TO DEMAND. THIS LEGISLATION WILL
HELP PROVIDE AN INCENTIVE TO LEGAL IMMIGRATION.

3. I URGE THE CONGRESS TO CONSIDER PROMPTLY, AND TO
PASS, THE PROPOSALS DESCRIBED IN THIS MESSAGE. END TEXT.
CHRISTOPHER

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Message Attributes

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